

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b>CIVIL NO.</b>
<b>v.</b>	)	<b>JUDGE</b>
	)	
<b>\$39,747 UNITED STATES CURRENCY</b>	)	
	)	
<b>Defendant.</b>	)	

**VERIFIED COMPLAINT *IN REM***

COMES NOW the plaintiff, United States of America, by and through United States Attorney for the Middle District of Tennessee Donald Q. Cochran, and Assistant United States Attorney Debra Teufel Phillips, and brings this Complaint and alleges as follows in accordance with Rule G(2) of the Federal Rules of Civil Procedure, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

**NATURE OF THE ACTION**

1. In this *in rem* civil action, the United States of America seeks forfeiture of approximately \$39,747 United States currency (hereinafter "Defendant Property") pursuant to 21 U.S.C. § 881(a)(6) which authorizes forfeiture of monies furnished or intended to be furnished by any person in exchange for a controlled substance in violation of 21 U.S.C. § 841 or 21 U.S.C. § 846, and of proceeds traceable to such an exchange, and of monies used or intended to be used to facilitate such a violation.

### **THE DEFENDANT *IN REM***

2. The Defendant Property was seized in Rutherford County, Tennessee pursuant to a probable cause search based on the smell of marijuana emanating from a vehicle stopped for traffic violations on July 16, 2020. The Defendant Property was located in a red bag inside of a suitcase inside the vehicle.

3. The Defendant Property is presently in the custody of the United States Marshals Service.

### **JURISDICTION AND VENUE**

4. Plaintiff brings this action *in rem* in its own right to forfeit and condemn the Defendant Property. This Court has jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1355(a).

5. Venue is proper in the Middle District of Tennessee pursuant to 28 U.S.C. § 1355(b)(1), because the acts or omissions giving rise to the forfeiture occurred in the Middle District of Tennessee, and pursuant to 28 U.S.C. § 1395 because the Defendant Property is located in the Middle District of Tennessee.

6. Pursuant to 21 U.S.C. § 881(h) and 18 U.S.C. § 981(f), all right, title and interest in the Defendant Property vests in the United States at the time of the acts giving rise to the forfeiture.

## **FACTS**

7. The facts and circumstances supporting the forfeiture of the Defendant Property are contained in the Declaration of Christopher S. Burrell, a copy of which is attached hereto as Exhibit 1 and incorporated as though fully set forth herein.

## **PRAYER FOR RELIEF**

WHEREFORE, the United States of America prays that the Clerk issue a Warrant for Arrest *In Rem*, pursuant to Federal Rules of Civil Procedure, Supplemental Rule G(3)(b)(i), for the Defendant Property and Plaintiff will execute the warrant upon the Defendant Property pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).

WHEREFORE, the United States of America prays that the Defendant Property be forfeited to the United States of America in accordance with the provisions of law; that notice of this action be given to all persons who reasonably appear to have an interest in the Defendant Property; that Plaintiff be awarded its costs in this action; and for such other necessary and equitable relief as this Court deems proper.

Respectfully submitted,

DONALD Q. COCHRAN  
United States Attorney for the  
Middle District of Tennessee

By: s/ Debra Teufel Phillips  
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VERIFICATION

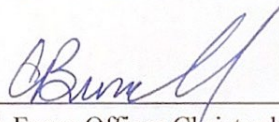
I, Christopher S. Burrell, Drug Enforcement Administration Task Force Officer, hereby verify and declare under penalty of perjury as provided by 28 U.S.C. § 1746, the following:

That I have read the foregoing Verified Complaint *In Rem* and know the contents thereof, and that the matters contained in the Verified Complaint are true to my own knowledge, except that those matters herein stated to be alleged on information and belief and as to those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are from information gathered by law enforcement officers, as well as my investigation of this case as a Task Force Officer with the Drug Enforcement Administration.

I hereby verify and declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct.

Executed this 31 day of December 2020 at Nashville, Tennessee.



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Task Force Officer Christopher S. Burrell  
Drug Enforcement Administration